

REMARKS

Claims 1-3, 5, 8-10, 12 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over Matsuda et al. in view of Malhotra et al. and Bian et al. Applicants respectfully traverse this rejection, because the cited reference, alone or in combination, do not disclose or suggest at least the claimed second underlayer having a larger sum total content of elements, other than Cr and Ti, than said first underlayer, as described in claims 1, 8 and 16.

The Examiner recognizes that the Matsuda et al. reference does not disclose or suggest the dual underlayer, and further that Matsuda combined with Malhotra do not disclose a second underlayer that has a larger sum total content of elements other than Cr than the first underlayer. The Examiner, however, asserts that the Bian et al. reference combined with Matsuda and Malhotra disclose this feature.

Independent claims 1, 8 and 16 have been amended to recite that the second underlayer has a larger sum total content of elements, other than Cr and Ti, than said first underlayer. The cited references, even if combined, do not disclose or suggest this additional feature of the present invention as now described in the independent claims. Accordingly, claims 1, 8 and 16, and their respective dependent claims 2, 3, 5-7, 9, 10 and 12-15 are now allowable over the cited references.

Claims 7 and 15 stand rejected under 35 U.S.C. §103 as being unpatentable over Matsuda et al. in view of Malhotra et al. and Bian et al. and further in view of Paik et al. Applicants traverse this rejection for the reasons given with respect to claims 1 and 8, from which these claims depend, and for the additional features described in claims 7 and 15.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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September 7, 2004

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